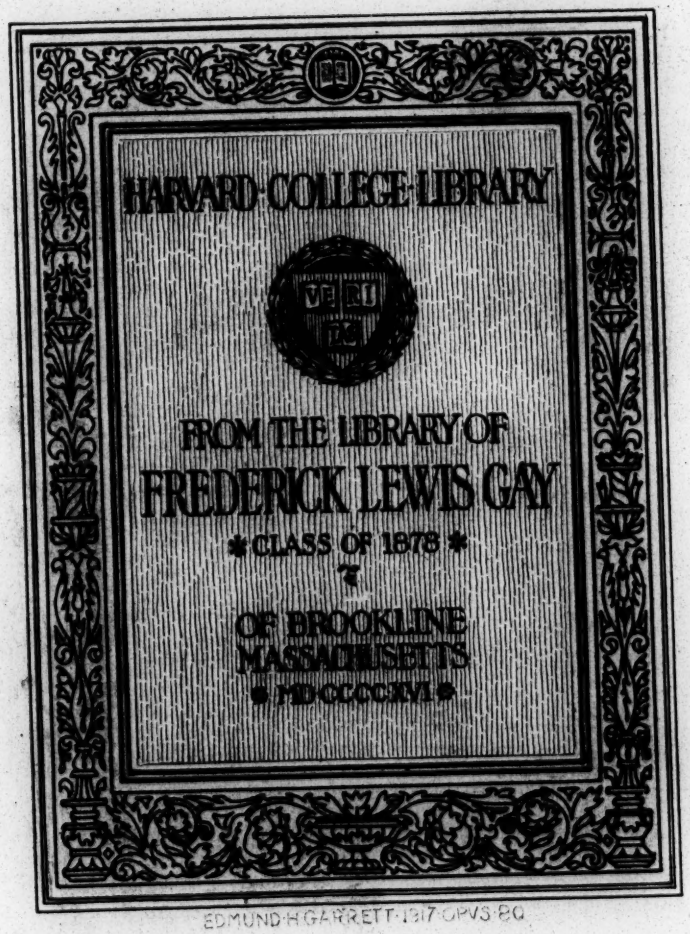

EDMUND H GARRETT 1917 CPVS BQ

ALL ORDINANCES AND ORDERS,

For the better obſervation of the LORDS-DAY, and the FAST.

9. Decemb. 1646.

ORdered &c. That the Ordinances for the better Obſervation of the publick dayes of Faſt and Humiliation and for the better Obſervation of the Lords-Day be Printed together, And that it be referred to the Care of the Knights and Burgeſſes of the ſeverall Counties, Cities, and Burroughs, to ſend downe a ſufficient number of Copies, of them ſo Printed, to the ſeverall and Reſpective Committees to be diſtributed, and diſperſed to the ſeverall Pariſhes, and the ſeverall and reſpective Miniſters, are hereby enjoyned and required, the Lords day immediatly before every day of publick Humiliation, to give notice of the ſaid day to the Congregation aſſembled, and to reade unto them theſe Ordinances for the better obſervation of the Lords-day, and the dayes appointed for publick Humiliation. And that the Juſtices of Peace in their ſeverall Limits doe take a ſtrict Monethly Account of the due Execution and Obſervation of theſe Ordinances.

LONDON,
Printed for *Edw. Husband* printer to the Honourable Houſe of Commons. 1646.

[illegible] COLLEGE LIBRARY
FROM THE LIBRARY
OF E. L. GAY
JUNE 4, 1918

Die Sabbathi 6. Aprill, 1644.

A Ordinance of the Lords and Commons assembled in Parliament, for the better Observation of the LORDS-DAY.

FOrasmuch as the Lords day, notwithstanding severall good Lawes heretofore made, hath been not only greatly prophaned, but divers ungodly Bookes have been published by the Prelaticall faction, against the Morality of that Day, and to countenance the prophanation of the same, to the manifest indangering of Soules, prejudice of the true Religion, great dishonour of Almighty God, and provocation of his just wrath and indignation against this Land; The Lords and Commons for remedy thereof, doe Order and Ordain, and be it Ordered and Ordained, that all the Laws enacted, and in force, concerning the Observation of the Lords day, bee carefully put in execution; and that all and singular person and persons whatsoever, shall on every Lords day, apply themselves to the sanctification of the same, by exercising themselves thereon, in the duties of Piety and true Religion, publiquely and privately: And that no person or persons whatsoever, shall publiquely cry, shew forth, or expose to sale any

Wares, Merchandizes, Fruit, Herbs, Goods, or Chattels whatſoever, upon the Lords-day, or any part therof; upon pain, that every perſon ſo offending ſhall forfeit the ſame Goods ſo cryed, ſhewed forth, or put to ſale: And that no perſon or perſons whatſoever, ſhall, without reaſonable cauſe for the ſame, Travell, carry Burthens, or do any worldly labours or worke whatſoever, upon that day, or any part thereof; upon pain, that every one travelling contrary to the meaning of this Ordinance, ſhall forfeit for every offence, ten ſhillings of lawfull money; and that every perſon carrying any burthen, or doing any worldly labour or work, contrary to the meaning hereof, ſhall forfeit five ſhillings of like money for every ſuch offence. And bee it further Ordained, That no perſon or perſons ſhall hereafter upon the Lords day, uſe, exerciſe, keep, maintain, or be preſent at any Wreſtlings, Shootings, Bowling, Ringing of Bells for pleaſure or paſtime, Maſque, Wake, otherwiſe called Feaſts, Church-Ale, Dancing, Games, Sport or paſtime whatſoever; upon pain, that every perſon ſo offending, being above the age of fourteen yeares, ſhall loſe and forfeit five ſhillings for every ſuch offence. And be it further Ordained, that all and ſingular perſon and perſons, that have the care, government, tuition or education of any childe or children, under, or within the age of fourteen yeares, ſhall forfeit and loſe twelve pence for every of the ſaid offences that ſhall be committed by any ſuch child and children. And becauſe the prophanation of the Lords-day hath beene heretofore greatly occaſioned by May-poles (a Heatheniſh vanity, generally abuſed to ſuperſtition and wickedneſſe) The Lords and Commons doe further Order and Ordaine, that all and ſingular May-poles, that are, or ſhall be erected, ſhall be taken downe, and removed by the Conſtables, Borſholders,

ſholders, Tythingmen, petty Conſtables, and Churchwardens of the Pariſhes and places where the ſame be; and that no May-pole ſhall bee hereafter ſet up, erected, or ſuffered to bee within this kingdome of *England*, or Dominion of *Wales*.

And it is further Ordained, that if any of the ſaid Officers ſhall neglect to doe their Office in the premiſes, within one weeke after notice of this Ordinance, every of them for ſuch neglect ſhall forfeit five ſhillings of lawfull moneys; and ſo from weeke to weeke, weekly five ſhillings more afterwards, till the ſaid May-pole ſhall bee taken downe and removed. And that if any Juſtice of the Peace of the County, or the chiefe Officer or Officers, or any Juſtice of the Peace, of, or within any City, Burrough, or Towne-Corporate, where the ſaid offences ſhall bee committed upon his or their view, or confeſſion of the party, or proofe of any one or more witneſſes by oath (which the ſaid Juſtice, chiefe Officer or Officers, is by this Ordinance authoriſed to miniſter (ſhall find any perſon offending in the premiſes, the ſaid Iuſtice, or chiefe Officer or Officers, ſhall give warrant under his or their hand and ſeale, to the Conſtables or Churchwardens of the Pariſh or Pariſhes where ſuch offence ſhall bee committed, to ſeize the ſaid Goods, Cried, ſhewed forth, or put to ſale as aforeſaid; and to leavy the ſaid other Forfeitures or penalties by way of Diſtreſſe, and ſale of the Goods of every ſuch offender, rendring to the ſaid offenders the overplus of the Moneys raiſed thereby;

And in default of ſuch Diſtreſſe, or in caſe of inſufficiencie, or inabilitie of the offender to pay the ſaid Forfeitures or penalties, that the party offending be ſet publiquely in the Stocks by the ſpace of three houres. And all and ſingular, the forfeitures or penalties aforeſaid, ſhall bee imployed and converted to the uſe of the poore of the Pariſh where the ſaid offences ſhall bee committed, ſaving only, that it ſhall and may bee lawfull, to and for any ſuch Juſtice, Mayor, or head Officer or Officers, out of the ſaid forfeitures or penalties, to reward any perſon or perſons that ſhall informe of any offence againſt this Ordinance, according to their diſcretions; ſo as ſuch reward exceed not the third part of the forfeiture or penalties.

And it is further Ordained by the ſaid Lords and Commons, that the Kings Declaration concerning obſerving of Wakes, and uſe of exerciſe and recreation upon the Lords day, The Booke intituled, *The Kings Majeſties Declaration to His Subjects, concerning lawfull Sports to bee uſed*; and all other Books and Pamphlets that have been, or ſhall be written, printed or publiſhed againſt the Morality of the fourth Commandement, or of the Lords-day, or to countenance the prophanation thereof, be called in, ſeized and ſuppreſſed, and publiquely burnt, by the Juſtices of Peace, or ſome, or one of them, or by the chiefe Officer or Officers aforeſaid, in their ſeverall Limits, or by their VVarrant or Command.

Provided,

Provided, and bee it Declared, That nothing in this Ordinance ſhall extend to the prohibiting of dreſſing of Meat in private Families, or the dreſſing and ſale of Victuals in a moderate way in Innes or Victualling-Houſes, for the uſe of ſuch as otherwiſe cannot be provided for; or to the crying or ſelling Milke before Nine of the Clock in the Morning, or after Foure of the Clock in the Afternoon, from the Tenth of *September*, till the Tenth of *March*: or before Eight of the Clocke in the Morning, or after five of the Clocke in the Afternoon, from the Tenth of *March*, till the Tenth of *September*.

And whereas there is great breach of the Sabbath by Rogues, Vagabonds and Beggars, It is further Ordained, That the Lord Mayor of the City of *London*, and all Iuſtices of Peace, Conſtables, Churchwardens and other Officers and Miniſters whatſoever, ſhall from time to time cauſe all Lawes againſt Rogues, Vagabonds and Beggars, to be put in due execution; and take order that all Rogues, Vagabonds and Beggars, doe on every Sabbath-day repaire to ſome Church or Chappell, and remaine there ſoberly and orderly during the time of Divine-Worſhip. And that all and ſingular perſon and perſons, that ſhall doe any thing in the execution of this Ordinance, ſhall bee protected and ſaved harmleſſe by the Power and Authority of Parliament.

And

And be it further Ordained, That this Ordinance be Printed and published, and read in all Parish Churches and Chappels, before the Sermon in the Morning on some Lords-day before the first of *May* next, on the South-side of *Trent*, and before the first of *June* next, on the North-side of *Trent*.

H. Elsinge C.P.Dom.Com.

Die

Die Mercurii 22. *Auguſt* 1642.

An Ordinance of the Lords and Commons aſſembled in Parliament, for the better Obſerving and Keeping a Monethly Faſt, within the Kingdome of *England*, and Dominion of WALES.

WHereas the Kings moſt excellent Majeſty upon the requeſt of the Lords and Commons in this preſent Parliament aſſembled, and by and with their advice and conſent, conſidering the lamentable and diſtreſſed condition of his good Subjects in the Kingdome of *Ireland*; (that there might be a generall Humiliation of all the Eſtates of this Kingdome before Almighty God in Faſting and Prayer) was graciouſly pleaſed to command the keeping of a Monthly Faſt; and to the end that all perſons might the better take notice thereof (and to leave ſuch without excuſe, as ſhould not duly keep and obſerve the ſame) did afterward by his Proclamation of the eighth of *January* 1641. appoint that the ſame ſhould be generally, publikely, & ſolemnly holden, and kept, as well by abſtinence from food, as by publike prayers, preaching, and hearing of the Word of God, and other Religious and holy duties, in all Cathedralls, Collegiate, and Pariſh Churches, and Chappells, within the

Kingdome of *England* and Dominion of *Wales*, (without any exception) on the laſt Wedneſday of every Moneth, to continue during the troubles in the ſaid Kingdome of *Ireland*: All which his Majeſty did ſtraightly charge and command, ſhould be reverently and devoutly performed by all his Subjects, as they deſire the bleſſing of Almighty God, and would avoyd his heavy indignation againſt this Land and people; and upon pain of ſuch puniſhments as may juſtly be inflicted upon all ſuch as ſhall contemne or neglect ſo Religious a worke and duty.

And whereas the Lords and Commons in both Houſes of Parliament, have received divers informations from ſeverall parts of this Kingdome and Dominion of *Wales*, of the great neglect of the due obſervation and keeping of the ſaid Faſt upon the dayes appointed, and of the prophanations of the ſame, by many irreligious, ill-affected, looſe, and ſcandalous perſons, as well of the Clergie as others, who are ſo far from afflicting their ſoules, and looſing the bands of wickedneſſe, as that they provoke the wrath of Almighty God, and make ſo pious a meanes to procure his bleſſings, the occaſion of greater Judgements.

For the prevention whereof for the time to come, the Lords and Commons doe order, declare, ordain, that in all and every the Cathedrals, Collegiate, and Pariſh Churches, and Chappels within the Kingdome of *England* and Dominion of *Wales*, (without any exception) upon every Lords day, next and immediately before any the dayes appointed for the ſaid publike Faſt, the Parſon, Vicar, Curate, or Miniſter, that upon that day ſhall officiate, or exerciſe in any of the ſaid Cathedralls, Collegiate, Pariſh Churches or Chappells, ſhall give publike notice in every of the ſaid Cathedralls, Collegiate, Pariſh Churches or Chappells reſpectively,

reſpectively, of the Faſt day next enſuing, immediately after Sermon, or prayer ended in the forenoon, before the Congregation be diſmiſſed, earneſtly exhorting and perſwading all the people to the ſolemne due keeping and religious obſervation of the whole day appointed for the ſaid Faſt, and that they would repair to ſome Church or Chappell, there diligently and reverently to attend all ſuch holy duties as ſhall be uſed in the obſervance of the ſame; that they forbear to uſe all manner of ſports and paſtimes whatſoever, and their ordinary Trades and Callings upon the ſaid day, as well Carriers, Waggoners, Carters, Waynmen, Drovers, Butchers, Huckſters, Shop-keepers, Labourers, or any others uſing any Art, Trade, Myſtery or manuall Occupation whatſoever, and that all Vintners, Taverners, Alehouſe-keepers, and Keepers of Victualing-houſes, doe forbeare to keep open their doores, Bulks, or Shops, or to ſell or utter (except in caſes of extreame neceſſity) any Wine, Beere, Ale or victuall, till the publike exerciſes and religious duties of that day in the reſpective Cathedralls, Collegiate, Pariſh Churches and Chappells be paſt and over.

And laſtly all and every the Juſtices of the Peace, Mayors, Bayliffs, Conſtables, Church-wardens, and other Officers inhabiting or reſiding within the limits or precincts of any ſuch Cathedrall, Collegiate, Pariſh Church or Chappell, are hereby required to take ſpeciall notice as well of ſuch Parſon, Vicar, Curate, or other Miniſter that ought to Officiate in any of the ſaid Cathedralls, Collegiate, and Pariſh Churches or Chappells, upon any ſuch day appointed for the ſaid Faſt, that ſhall either refuſe or neglect to doe the ſame, or not do or cauſe the ſame to be done in that religious and ſolemne manner as it ought to be, or that ſhall refuſe to give notice of the Faſt day at the time and in man-

ner as aforeſaid, and forthwith to return their names, and the names of all ſuch (from time to time) as ſhall wilfully offend herein, in contempt of the Lawes, his Majeſty, and both Houſes of Parliament, unto ſome one or more of the Knights, Citizens, or Burgeſſes that ſerve for the County where ſuch offence is or ſhall be committed, that ſome ſpeedy courſe may be taken for the ſevere puniſhing of ſuch as ſhall offend herein, according to the Lawes.

Hen. Elſynge, Cler. Parl. Dom. Com.

---

24. *April.* 1643.

WHereas the Lords and Commons aſſembled in Parliament have made an Ordinance for the more ſtrict and ſolemne keeping of the dayes of publike Faſt, which are not by all perſons duly obſerved, even in theſe times of publike calamity, to the great diſhonour of God, and the contempt of the Authority of both Houſes of Parliament. Now that more particular notice may be given unto all ſuch as ſhall offend herein, before any exemplary puniſhment be inflicted upon them; It is Ordered by the Commons now Aſſembled in Parliament, That all Conſtables (or their Deputies) ſhall the day before every publike Faſt, repair to every Houſe within their ſeverall and reſpective liberties, and charge all perſons, That they ſtrictly obſerve the Faſt, according to the directions in the ſaid Ordinance.

And they ſhall upon the ſaid dayes of the publike Faſt, walk through their ſaid liberties, diligently ſearching for, and taking notice of all perſons, who either by following their work of their calling, or ſitting in Taverns, Victualling

ling or Alehouſes, or any other wayes ſhall not duly obſerve the ſame; And they are hereby required to returne the Names of all ſuch perſons as they ſhall find ſo offending, as alſo ſuch Informations as they ſhall receive againſt any other perſons within their liberties, guilty of the like offence unto the Committee for Examinations, that ſo they may be proceeded againſt for the contempt of the ſaid Ordinance; And all Conſtables are to obſerve theſe directions from time to time, ſo long as the ſaid publique Faſt ſhall be kept, without expecting any further Order.

Hen. Elſynge, Cler. Parl. Dom. Com.

---

2. Decembris. 1646.

An Ordinance of the Lords and Commons aſſembled in Parliament for the better Obſervation of the Monthly Faſt.

THe Lords and Commons in Parliament aſſembled, Taking notice of the great neglect and prophanation of the Monthly Faſt in diverſe places of this Kingdome, doe for prevention thereof in time to come. Order and Ordaine, and be it Ordained by the ſaid Lords and Commons, that all Juſtices of the Peace, Mayors, Bayliffes, Conſtables, and other Officers and Miniſters whatſoever in their reſpective places ſhall put in Execution all Orders, and Ordinances of Parliament heretofore made for the due obſervation of the ſaid monthly Faſt, and are hereby authorized and required to uſe and exerciſe the ſame power, and to inflict penalties upon the offenders therein, in ſuch manner and form as is limited and appointed by any

Statute, Law, Order, or Ordinance whatsoever now in force for the Sanctification of the Lords day, or against the prophanation thereof: And for the better incouragement of all such persons as have or shall testifie their good affections to the State by their readinesse in observing and putting in Execution of this and other the Ordinances of this Parliament, and for prevention of causeless and contentious suits against them; It is further Ordained by the said Lords and Commons that if any Action, Bill, Plaint or Suite upon the Case, Trespasse, Battery, or false Imprisonment now be or hereafter shall be brought, for or concerning any matter, cause, or thing done, or to be done hereafter by any Person or Persons whatsoever, by Vertue of any Ordinance of Parliament or by any Person or Persons in their ayde and assistance or by their Commandement, according to any such Ordinance of Parliament, the said Action, Bill, Plaint or Suite shall be layed within the County where the Trespas or Fact was or shall be done, & committed & not elsewhere; and that it shall be lawfull to and for all and every Person, and Persons aforesaid to plead thereunto the Generall issue that he or they are not Guilty, And for their Justification to give in Evidence to the Jury which shall try the same, any Ordinance, or Ordinances of Parliament which they or any of them shall produce, by vertue whereof the Fact Complained of was done or Committed. And that if upon the Tryall of any such Action, Bil, Plaint, or Suit the Plantiff or Plaintiffs therein shall not prove to the Jury which shall try the same, that the Trespass, Battery, Imprisonment, or other Fact or Cause of his, her, or their said Action, Bill, Plaint, or Suit was or were, had, made, committed, or done, within the County wherein such Action, Bill, Plaint, or Suit, is or shall be layed, That then in every such case the Jury which

which ſhall Try the ſame, ſhall find the Defendant or Defendants in every ſuch Action, Bill, Plaint or Suit not Guilty without having regard or reſpect to any evidence given by the Plaintiff or Plaintiffs therein touching the Treſpaſs, Battery, Impriſonment, or other Cauſe for which the ſame Action, Bill, Plaint, or Suit, is or ſhall be Brought: And if the Verdit ſhall Paſſe with the Defendant or Defendants in any ſuch Action, Bill, plaint, or Suit, or the plaintiff or plaintiffs therein become Non-ſuits or ſuffer any diſcontinuance thereof, that in every ſuch Caſe the Juſtices, or Juſtice, or ſuch other Judge, before whom the ſaid Matter ſhall be tryed, ſhall by force, and vertue of this Ordinance allow unto the Defendant, or Defendants, his, or their double Coſts, which he or they ſhall have ſuſteined by reaſon of their wrongfull vexation in Defence of the ſaid Action, or Suit, for which the ſaid Defendant or Defendants ſhall have remedy as in other Caſes, where Coſts, by the Laws of the Realm are given to the Defendants.

Hen. Elſynge, Cler. Parl. Dom. Com.

FINIS.

*EC65.G798L.B646a

THE HOUGHTON LIBRARY

1 June 1916